

Address at Chamber of Commerce  
TULSA , Okla. Nov. 17th, 1933.

Thank you for that round of applause, I would rather have it now than take chances on getting it later on. In these days of stress we are thankful to receive even a substantial applause there is so little else to be had. But we are waiting and hopeful even though somewhat confused looking for the "corner" around which prosperity has promised. We have been fooled so many times on it that there is some doubt as to whether or not we will really recognize it when it does show up. We have been pranked and fooled so many times we are sort of in the frame of mind of the rookie in the army. He had been pranked and joked so much he had become suspicious of everybody and everything. One day he was on guard duty and a major approached the pickets: "Halt! who comes there? Major Moses, the officer said. Approach and give the Ten Commandments said the rookie."

But, nevertheless, such times as we have become accustomed to have not been without their compensation, they have taught us to be resourceful and take advantage of any contingency that might arise I was watching a negro "holy-roller" meeting some time back. There was a comely young wench in the very extecy of her faith and shouting her joy to the heavens. A tall, longlegged, pop-eyed negro boy was standing on the edge of the crowd watching her. He had a head like a egg with a double yolk and feet about the size of shovel blades and the narrow hips of his kind with the most solemn, serious countenance well to imagined. The negro girl arose to the very heights in her shouting: "Last night," she said, "I was in the arms of the debbil" and to-night I am in the arms of the Lord". The solemn faced negro boy shouted out: "Is you occupied for tomorrow night, sister." Thats taking advantage of the ~~xxxxxxx~~ situation.

But as we grow more use to the situation we get more sense about it. Two old maids were in an insane asylum, had been there for several years. They were sitting there knitting one day and one of them said to the other: "Do you know what I would rather have than anything else in the world, sister?" No, what is that?" remarked the other. "Some great big, strong, cave man to just come in and grab we and love me to death". " Now you are talking sense" said the other " you will be out of here in a day or two." And so we will come to ourselves and be the better for it some of these days. We are beginning to talk sense.

During the war two rookies were shot up and discharged and came back home. A reception was given them in one of the prominent homes of their community. The young lady of the house, a very beautiful girl, came up to where they were standing and asked one of them if he had ever killed one of the enemy and was assured that he had. "How did you kill him? " asked the maiden, "With this hand", said the ex-soldier. She grabbed the hand and kissed and turned to the other soldier and asked him the same question. " Sure," said he, "I killed a number of them." " How did you do it" asked the girl". "I bit them to death" said the soldier. That is resourcefulness on quick notice.

But we are liable to get excited about the situation, become exasperated by the limited lanes of effort and shoot off our heads without knowing just what we are about like the negro preacher who was tried for using the Lord's name in vain. A negro of the community had died and the folks allowed him to stiffen in an almost sitting up position When he was placed in the coffin he was forced in and the lid screwed down, holding him there. The services were held at a little negro

church. The preacher concluded his funeral oration with the remarks: "Now, brethren and sistern gather around and take a last look at your departed brother." And the coffin lid was unscrewed and the body just naturally sat up in the coffin. The negroes left out of that little church, the preacher among the rest of them. A few days after that it was rumored around that the ~~preacher~~ preacher had been guilty of cussing, had used the Lords' name in vain, and he was juerked up before the board of elders or whatever it is they try them before and he was charged with cussing and using the Lord's name in vain. He declared his innocence so they called in a long legged negro boy, swore him and asked him he was down at the funeral and he said he had been and then he was asked if he heard anybody using the Lord's name in vain and he said he did. "Who was it?", as a deacon, "The parson, there, brother Jones," said the youth. "What did he say and how did he say" asked the deacon. "Well, said the boy, when that dead man sat up in that coffin well all left out of there, and as I was making for the door the preacher passed me and I heard him say: "Goddamn a church with just one little door in it." He was like we are now days, we are looking for an opening. But we dont want to misunderstand or misjudge things. The government is trying to redeem us from our mistakes, let us help. Dont let us cuss the procedure before we give it a real trial. It may be just possible we misunderstand the possibilities of it, like an old friend of mine down at Wewoka by the name of Horace Bradley. He was very deaf and was a great fisherman. One day he took his fishing outfit and started over the hill toward Wewoka creek and he met another old fellow who was just as deaf as he by the name of Alex Sadler and Alex said "Are you going fishing, judge?" No, said the judge, I am going fishing." Oh! said Alex, I thought you were going fishing."

But it was suggested that I talk to you about Crime Prevention and the costliness of present day's so called punishments. Since history began the age old question of crime prevention has been with us., and no doubt it will be so to the end of time. I might suggest in the beginning that we are all inherently criminal in our makeup. What is to-day denominated crime is natural with our kind. The wild things of the forest and the field take what they want, when they want it and if destruction of life is necessary that, too, is resorted to. We are but animals possessed, perhaps, of more reasoning powers and mentality than the rest of the animal kingdom. So what we are trying to do is to eliminate from our dispositions the instinct to pursue a natural course. The question is: how can this object be best accomplished. There are but two things that can control the instinct of men, fear and force. So if we punish for an infraction of the regulations laid down for the best interest of society, that punishment must be of sufficient deterrent power to instill fear that will prevent the commission of crimes; for force cannot always be on hand to do its part. Then there is another fear that can accomplish more along this line than any punishment yet devised- the fear of public opinion. In order to engender this fear it is necessary that public opinion be moulded in the right way. This means education. And so we come unescapably to the conclusion that the best way to prevent crime is by a system of education- not education as we know it to instill knowledge, for that often becomes a means toward crime- but education that teaches us to look upon the infraction of the rules of society as base and unworthy. This work devolves upon the homes, the schools, the church and the public press.

Each one of these institutions are falling down on the job. I wish I had time to go into more detail in this connection, but suffice it to say that if in the home the little, receptive mind, were taught in a kindly manner principles of good; if the talk were of the awfulness of crime rather than the escape of and sympathy for the criminal, much good would be accomplished and the future public opinion be soundly moulded. If the schools would incorporate a system of moral teachings rather than the too much inculcation of useless information, they would be better accomplishing good for civilization. If the church would preach and teach a manner of living rather than so much manner of belief, it would contribute its part to a redemption of a growing condition; and the press, that great moulder of public opinion, if it conspired with the others to engender a wholesome public opinion, rather than the servile worship at the feet of wealth and power, it too would contribute its part. But these four great institutions working together with a common purpose always in mind can remedy a condition that is throttling the very citizenship of this land. Crime is becoming so rampant and universal, arrogant and intolerant, that I believe the time about here when these forces will join hands and accomplish the much desired purpose.

But there is abroad in the land to-day a sort of simpering sentimentality that is universally accepted as judgment and common sense. We are prompted by our emotions rather than our judgment. This is destructive of progress toward a high grade of civilization. The very basis of civilization is a sound judgment- a judgment looking to the best interest of mankind. If our emotions and sentiments are allowed to control then we become a throwback into the very beginning of things- that is the animal speaking and not the mind.

We enact laws for the prevention of crime- we prescribe a system of punishment for the breaking of those laws and then, then, we raise up great institutions, expensive institutions, for the housing of those who break the laws- a place where punishment shall be meted out. But is it in the final analysis a punishment after all? Only a restraint unaccompanied by the condemnation of public opinion, unaccompanied by corporal punishment. The public demands, or all least the press and the pulpit demands, that those who break the law be treated with the utmost kindness and consideration. There is a demand for better treatment in our penal institutions than is afforded in the home and the life of the one who breaks the law laid down for the protection of society. When he comes out he is not met with a wholesome content that his actions merit, but he is accepted into society on the same basis as those who respected the laws.

When I send a man to the penitentiary I think how futile it is, how unreal. The man is sent, at the expense of good citizens, to a place where he is afforded a private room and a private bath, a guard (valet) to look after his wants, a band to play for him- a picture show to enjoy, a library to read in, a radio and a phonograph to enliven his hours; a base ball team and a foot ball team in season; no work of importance and three square meals a day; a hospital and medical treatment and during all the time of his incarceration he is exempted from any and all responsibility. The direst punishment is that heaped upon the honest citizen back home who has to foot the bills of this pampered son of crime. Most generally the inmate is afforded more comforts and conveniences than he had ever enjoyed in his life- at the hands of the tax payer of the state. And if, perchance, a guard or a warden speaks roughly to one of these there is a certain society of old men and women who raise the very devil with the administration. So called brutality toward those who

have become a menace toward society will not be countenanced by the dear old brothers and sisters of a misdirected sentimentality. And so the criminal is encouraged toward his deeds. Fair treatment toward the criminal becomes a license.

Do you know it takes \$750.00, on an average, to get a person in the penitentiary? \$750.00 of the honest tax payers money, and no sooner is he there than an effort is started to get him out, and good citizens join the parade. He comes out and looks back upon his leisure hours there, his fine treatment, his conveniences and comforts with a pleasant memory. Why shouldnt he, he has had more than his own ability could or had ever provided. He has come to cherish this better state of living- he has the ability to work and provide it for himself, so he resorts to crime to furnish the things he has become accustomed to at the hands of the public

Now, all this seems foolish to me. Why should the good citizen be penalized in such a manner? Why should such consideration be given to those who arrogantly violate the rules that society thinks is for its best interest? I dont know, you answer that question for me. Why should any consideration be given to the welfare of those who maliciously and wantonly break your laws? You answer that question, also, and keep in mind the welfare of civilization.

There should be but two modes of punishment for the law breaker; whipping for the minor offenses and death for the major crimes. But you say that thought is brutal and partaking of the dark ages. Is it? Let us see. The old Seminole Nation had such a law and when one was tried and convicted he was taken out to the giant pecan tree at the southwest corner of Seminole county's courthouse, strapped up to a lower limb of that tree, his body stripped to the waist, some ~~switches~~ but from a nearby hickory tree and a lighthorseman administered the requisite number of lashes. It cost the nation exactly nothing

nothing. And I never knew of but one man coming back for a second sitting. The third conviction called for the death penalty. And not only that but when he was turned loose he went back to his farm or his work and his family and carried on. He received the punishment, not the innocent family. Just a short time ago I had occasion to send a young man to the penitentiary for stealing something. I sent him for a year, soon after a representative of the family came in and wanted me to recommend a parole or pardon stating that the family was in destitute circumstances, that there were five little children, that the old parents of the man or his wife were living in that home and were destitute and sick and that the mother was sick in bed and without food and that they badly needed the father and husband at home to provide for them. Now, if I had had the authority to have sent him out and had him whipped in some public place where the people would receive a wholesome lesson, he would have been back there with his family looking after them. He would have received HIS punishment, and the family would not have been punished by starvation and misery while he was receiving the kindest of treatment and the best of living at the penitentiary. Would that have been cruel? Not at all, the punishment would have been placed where deserved and the innocent protected, and the burdened taxpayer relieved.

But you say to kill men for crimes, that is cruel and barbarous. Is it? Lets see. Of what earthly use is human life EXCEPT in so far as it makes itself important to the human family? Is one who steals and rapes and murders of importance to the human family? Is he such a type as you would preserve to propagate the race? Is it that kind of a citizenship that you wish to raise up? And furthermore, is it more inhuman to quickly destroy a life than it is to preserve that life for punishment. A mere boy was sent to the penitentiary in Massachusetts for life and died but a few years ago after spending some seventy years in that institution, some thirty of which were



spend in solitary confinement. Is that more humane than if he had been killed in the beginning? Can you think of anything more brutal than keeping a useless life in tack so that it might be punished-and fed and housed by the good citizenship. It was estimated that the taxpayers of that commonwealth contributed seventeen thousand dollars to keep that man alive so that he might be cruelly punished. Is that what you call good judgment? If he deserved that kind of treatment at the hands of civilization, would it have not been better to have just destroyed him and forget it? That life was of no earthly importance to society or mankind, why preserve it? Was it revenge that was wanted, no society did not exact revenge, society wanted to rid itself of that particular type of human. Then why not do it in an expeditious manner and not keep it for punishment and confinement and thereby punish and penalize the good citizenship by contributing of their hard earned means? That is the result of a foolish sentiment no judgment was shown in the matter. You have a dangerous animal among your stock, what do you do? You destroy it and its breed. Is your stock of more importance to humanity than man? But you use your judgment in dealing with your stock and sentiment when dealing with your kind. You throw a sort of sanctity about human life that is not justified. As I said, a human life is only important in so far as it makes itself important to society and the human family, but your sentiment revolts at such an assertion. I am speaking of sentiment as excessive, mawkish, gushing and romantic, removed from judgement.